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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/539,711	06/17/2005	Gianfranco Zanotti	58009-019700/US	2917

33717 7590 02/08/2007
GREENBERG TRAURIG LLP
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EXAMINER

SWARTHOUT, BRENT

ART UNIT	PAPER NUMBER
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2612

SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE
3 MONTHS	02/08/2007	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

Office Action Summary

Application No.

10/539,711

Applicant(s)

ZANOTTI ET AL.

Examiner

Brent A. Swarthout

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-20 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
- 1) ☒ Certified copies of the priority documents have been received.
 - 2) ☐ Certified copies of the priority documents have been received in Application No. ____.
 - 3) ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date 2-3-06.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____.
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: ____.

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1. The disclosure is objected to because of the following informalities: In claims 3 and 10 "miniaturized" is misspelled; in claims 6,7,9 and 15 "authorized", "authorization" and "unauthorized" are misspelled; and in claims 8 and 16-20 "color" is misspelled.

Appropriate correction is required.

2. Claims 1-20 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

In claim 1, line 8 "the second network" has no antecedent basis. In claim 9, line 9 "and/or" is indefinite; and on line 15 "the transmission of the data" has no antecedent basis. In claim 11, the claim is improperly dependent on itself.

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1-7 and 10-14 are rejected under 35 U.S.C. 103(a) as being unpatentable over Bahar.

Bahar discloses an integrated automatic system for remote monitoring and management of vehicle parking comprising a mobile recognition device (col. 4, lines 40-60) comprising a user code (col. 4, lines 9-13) inside a vehicle (col. 4, line 55), a detection sensor 4 close to a parking space (col. 2, lines 58-64), means 35 for receiving data from plural sensors (col. 9, lines 53-67), and communicating data from the receiving means 35 to remote central computer station 39 (col. 10, lines 1-4).

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Choosing to decode and reprocess data at a remote computer would have been obvious, since Bahar utilizes data received at the remote computer to issue citations for parking violations (col. 3, lines 52-57).

Regarding claim 2, fixed stations 35 receiving data from parking sensors are connected to remote central station 39 (col. 9, line 48-col. 10, line 7).

Regarding claim 3, Bahar teaches use of cell phone transmitter (col. 4, lines 55-56).

Regarding claim 4, user data is transmitted automatically (col. 4, line 62) or manually (col. 4, lines 65-67).

Regarding claim 5, detection sensors 4 are located in external units 3 located close to parking spaces (Fig. 1).

Regarding claim 6, Bahar teaches visual indication of authorized or unauthorized parking (col. 7, lines 55-60), and capability to print messages (col. 6, lines 10-11), and use of user interface (col. 4, line 67).

4. Claims 7,9 and 15 are rejected under 35 U.S.C. 103(a) as being unpatentable over Bahar in view of Fuller.

Bahar discloses an integrated automatic system for remote monitoring and management of vehicle parking as set forth above, except for specifically stating that acoustic signals are used to indicate unauthorized occupation of a space.

Fuller discloses desirability of using acoustic means 63 to indicate unauthorized occupation of a parking space (col. 3, lines 17-30).

It would have been obvious to utilize acoustic warning means as suggested by Fuller in conjunction with a parking indication system as disclosed by Bahar, in order that unauthorized vehicles could have been located and removed more quickly from parking spaces, to increase revenue by opening up spaces for authorized users.


5. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Hassett, Anthonyson and Hall (935) disclose vehicle parking system devices.

6. Claims 8 and 16-20 would be allowable if rewritten to overcome the rejection(s) under 35 U.S.C. 112, 2nd paragraph, set forth in this Office action and to include all of the limitations of the base claim and any intervening claims.

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Brent A Swarthout whose telephone number is 571-272-2979. The examiner can normally be reached on M-F from 6:30 to 4:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Mike Horabik, can be reached on 571-272-3068. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


Brent A Swarthout
Art Unit 2636

**BRENT A. SWARTHOUT
PRIMARY EXAMINER**